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April 8, 2020

Via U.S. Mail and E-Mail

Michelle L. Mayhew
Board of Examiners for Licensed Practical Nurses
101 Dee Drive, Suite 100
Charleston, West Virginia 25311
Michelle.L.Mayhew@wv.gov

**Re: Response to Distributor Defendants' Subpoena Duces Tecum in relation
to *City of Huntington et al. v. AmerisourceBergen Drug Corporation et al.*,
Civil Action Nos. 3:17-1362; 3:17-1665**

Dear Ms. Mayhew:

We write on behalf of the Defendants in the above referenced matter and seek to touch base regarding the status of the Board of Examiner for Licensed Practical Nurses' response to the subpoena served on March 13, 2020. The subpoena required production of the requested documents by March 27, 2020, at 9:00 am, to Jackson Kelly PLLC, 500 Lee Street, Suite 1600, Charleston, West Virginia 25301. Similarly, any objections to the subpoena requests were to be made prior to the March 27, 2020 deadline. As of the writing of this letter, a response has not been received nor has any attempt been made to contact us in response to the subpoena. Attempts have been made on March 30, April 2, and April 7, 2020, to contact your office to inquire about your response to the subpoena, to no avail.

AmerisourceBergen, whom we represent, recognize the difficulties that the spread of the COVID-19 virus has imposed on state agencies in West Virginia, and we are more than willing to accommodate the needs of the Board of Examiners for Licensed Practical Nurses in responding to the subpoena. Nonetheless, we ask that you comply with the terms of the subpoena and provide a response, as directed, as soon as possible. Please do not hesitate to contact me if there are issues at the Board that is posing a barrier to responding to the subpoena. Further, if you have any issues or concerns regarding the Board's response to the subpoena, we would be glad to address them at a time most convenient to you.

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Thank you for your attention to this matter.

Sincerely,

/s/ Gretchen M. Callas

Gretchen M. Callas
Jackson Kelly PLLC